

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE: HARRY JAMES COBB,	}	CHAPTER 13
	}	
DEBTOR(S)	}	CASE NO. A17-70919-BEM
	}	
	}	JUDGE ELLIS-MONRO

**MOTION TO DISMISS**

COMES NOW, Mary Ida Townson, Standing Chapter 13 Trustee in the above-styled matter, and files this Motion to Dismiss, respectfully showing the Court as follows:

1.

The Debtor filed for relief under Chapter 13 of Title 11 of the United States Code on December 4, 2017.

2.

The Debtor's Schedule D shows \$4,695,396.96 in secured debt.

3.

The secured debt limit, pursuant to 11 U.S.C. Section 109(e), is \$1,184,200.00.

4.

As the requirements of 11 U.S.C. Section 109(e) have not been met, the Debtor is not eligible for relief under Chapter 13 of Title 11 of the United States Code.

Mary Ida Townson, Chapter 13 Trustee  
Suite 2200 – 191 Peachtree Street, N.E.  
Atlanta, Georgia 30303  
(404) 525-1110  
sonyab@atlch13tt.com

WHEREFORE, based on the foregoing, the Trustee respectfully requests the Court inquire into the foregoing, dismiss the instant case, and grant such further relief as the Court deems just and proper.

Respectfully submitted this 15<sup>th</sup> day of December, 2017.

/s/  
Sonya M. Buckley  
Attorney for the Chapter 13 Trustee  
GA Bar No. 140987

Mary Ida Townson, Chapter 13 Trustee  
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DEBTOR(S)	}	CASE NO. A17-70919-BEM
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**NOTICE OF HEARING ON MOTION TO DISMISS**

PLEASE TAKE NOTICE that the Chapter 13 Trustee has filed a Motion to Dismiss this case.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on **January 23, 2018 at 1:15 p.m. in Courtroom 1402, United States Courthouse, 75 Ted Turner Drive, S.W., Atlanta, GA 30303.**

Your rights may be affected by the Court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one). If you do not want the Court to grant the relief sought in these pleadings or if you want the Court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including address) you served the response. Mail or deliver your response so that it is received by the Clerk at least two (2) business days before the hearing. The address of the Clerk's Office is **Clerk, U.S. Bankruptcy Court, 75 Ted Turner Drive, S.W., Atlanta, Georgia 30303.** You must also mail a copy of your request to the undersigned at the address stated below.

\_\_\_\_\_/s/  
Sonya M. Buckley  
Attorney for the Chapter 13 Trustee  
GA Bar No. 140987

Mary Ida Townson, Chapter 13 Trustee  
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Atlanta, Georgia 30303  
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**CERTIFICATE OF SERVICE**

This is to certify that I have this day served

DEBTOR(S):

Harry James Cobb  
2926 Duncan Place  
Decatur, GA 30034

ATTORNEY FOR DEBTOR(S):

Slipakoff & Slomka, P.C.  
Overlook III, 2859 Paces Ferry Rd, SE  
Suite 1700  
Atlanta, GA 30339

in the foregoing matter with a copy of this pleading by depositing same in the United States Mail in a properly addressed envelope with adequate postage thereon.

This 15<sup>th</sup> day of December, 2017.

\_\_\_\_\_/s/  
Sonya M. Buckley  
Attorney for the Chapter 13 Trustee  
GA Bar No. 140987

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